



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FINNEGAN HENDERSON FARABOW
GARRETT & DUNNER LLP
901 NEW YORK AVE NW
WASHINGTON DC 20001-4413

COPY MAILED
APR 19 2006
OFFICE OF PETITIONS

In re Application of	:
Joyyosi, et al.	:
Application No. 09/724,496	: DECISION ON APPLICATION
Filed: November 28, 2000	: FOR PATENT TERM ADJUSTMENT
Attorney Docket No. 02481.1691	:

This letter is in response to the "NOTICE OF ERROR IN THE DETERMINATION OF PATENT TERM ADJUSTMENT", filed February 24, 2006. Applicants request that the initial determination of patent term adjustment under 35 U.S.C. §154(b) be reviewed for accuracy.

The request for correction of the patent term adjustment (PTA) is **DISMISSED**.

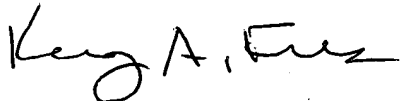
On February 28, 2006, the Office mailed the Determination of Patent Term Adjustment under 35 U.S.C. §154(b) in the above-identified application. The Notice stated that the patent term adjustment to date is three hundred six (306) days. Applicants filed the instant "NOTICE OF ERROR IN THE DETERMINATION OF PATENT TERM ADJUSTMENT" on February 24, 2006.

On February 28, 2006, the application issued into Patent No. 7,005,440, with a patent term adjustment of three hundred six (306) days.

A review of the record reveals that the determination of patent term adjustment was correct. The Office determined a patent term adjustment of three hundred six (306) days based on an adjustment for PTO delay of two hundred thirty-five (235) days pursuant to 35 U.S.C. 154(b)(1)(A)(i) and 37 C.F.R. §1.703(a)(1), ninety-nine (99) days pursuant to 35 U.S.C. 154(b)(1)(A)(ii) and 37 C.F.R. §1.703(a)(2), and fifty-seven (57) days pursuant to 35 U.S.C. 154(b)(1)(A)(iv) and 37 C.F.R. §1.703(a)(6), reduced by thirty-two (32) days and ninety-nine (99) days of applicant delay pursuant to 35 U.S.C. 154(b)(2)(C)(ii) and 37 C.F.R. §1.704(b).

In view thereof, the correct determination of PTA at the time of the mailing of the Notice of Allowance is **three hundred six (306) days** (391 days of PTO delay (235+99+57), reduced by 85 (32+53) days of Applicant delay).

Telephone inquiries specific to this letter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.



Kery Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy